GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:2320
ANSWERED ON:15.12.2004
PATENTING OF HERBS
Jogi Shri Ajit

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the details of the lists received as yet regarding the patents of herbs; and

(b) the list of such herbs which are lying pending for patenting?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) & (b) As per provisions of Trade Related Intellectual Property Rights (TRIPS) Agreement, patents are available for any inventions, in the field of technology, provided that they are new, involve an inventive step and are capable of industrial application. Plants and animals other than micro-organisms, and essentially biological processes for the production of plants or animals other than non-biological and microbiological process are excluded from patentability.